

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, D.C. 20268-0001

PERIODIC REPORTING
(UPS PROPOSAL ONE)

Docket No. RM2020-9

RESPONSE OF THE UNITED STATES POSTAL SERVICE IN OPPOSITION
TO UPS MOTION REQUESTING LEAVE TO FILE REPLY COMMENTS
(January 12, 2021)

On January 8, 2021, UPS submitted a motion for leave to file reply comments, along with the proffered version of those reply comments. The Postal Service hereby responds in opposition to the motion for leave to file reply comments.

As UPS correctly recites in its motion, Order No. 5738 (Oct. 27, 2020) established the deadline for interested persons to file comments in this docket addressing matters raised by UPS Proposal One and discussed at the September 29, 2020 technical conference, but made no provision for reply comments. As UPS also correctly notes, the Postal Service filed such comments on the established deadline, December 15. Additionally, UPS acknowledged that it also filed comments on December 15.

What UPS fails to acknowledge, however, is the significance of its choice to file comments on December 15. UPS attempts to support its motion for leave with the erroneous claim that, with respect to three matters it has identified on pages 1-3 of its Motion that were discussed in the Postal Service's December 15 comment, "UPS has had no previous opportunity to respond." UPS Motion at 3. That claim does not withstand scrutiny. In fact, all three matters were raised by Professor Bradley at the

September 29 technical conference. UPS thus had the opportunity to discuss them in its December 15 submission, in which it indeed addressed and responded to the points made by Professor Bradley at the technical conference.

USP has offered no valid reason why it should be afforded yet another opportunity to amplify its arguments on matters previously discussed. In the rather unusual context of this case, in which UPS had and fully availed itself of the opportunity to address flaws in its proposal that had been identified at the technical conference, the deliberate omission from the schedule of a further opportunity for reply comments was fully warranted. There is no justification for UPS to seek an adjustment to that schedule now to get yet another bite at the apple.

Therefore, the Postal Service respectfully requests that the UPS motion for leave to file reply comments be denied.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

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